HON'BLE SRI JUSTICE A. RAMALINGESWARA RAO

WRIT PETITION No.4683 of 2005

ORDER:

Heard the learned counsel for the petitioner and learned counsel for the respondents.

The petitioner was holding electricity service connection vide S.C.No.1441/1200 Category III to his saw mill (now Rice Mill) at Vetlapalem, Samalkot Mandal, East Godavari District. While so, the 4th respondent raised a demand dated 18.08.2003 to the effect that he was liable to pay special guarantee amount, additional charges on special guarantee balance amount, balance current consumption charges from January 1997 to May 2003, aggregating to Rs.2,14,387/-. Subsequently, a revise demand notice was issued on 04.02.2004 reducing the demand amount to Rs.1,70,375.42 ps. After taking into account an amount of Rs.60.375.42 ps. paid by the petitioner, a demand notice was issued on 06.05.2004 calling upon the petitioner to pay the balance amount of Rs.1,10,000/-. The said amount was paid in three installments by paying Rs.40,000/- on 23.09.2004, Rs.50,000/- on 29.09.2004 and Rs.20,000/- on 24.02.2005.

Now a counter affidavit is filed admitting the receipt of the said amount, but the respondents state that the revised demand notice was issued anticipating the confirmation orders for waiver of additional charges. It is also stated in the counter affidavit that the petitioner filed two civil suits O.S.No.37/1992 and O.S.No.305/1992 on the file of the District Munsif Court, Kakinada and both the suits were dismissed.

In view of the admission made by the respondents of receiving an amount of Rs.1,71,774.39 ps. pending orders for waiver of additional charges, late payment charges, this Writ Petition is closed giving liberty to the respondents to put the petitioner on notice in case of any arrears and the petitioner is at liberty to take appropriate proceedings under law. No order as to costs. As a sequel,

Miscellaneous Petitions, if any, pending in this petition shall stand closed.

A. RAMALINGESWARA RAO

Date: 17.12.2013
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